



**MINUTES OF THE LANGLADE COUNTY
PUBLIC SAFETY COMMITTEE
THURSDAY, October 18, 2012**

Members Present: Vern Cahak, Dale Dahms, Larry Poltrock, Arlene Bonacci, Richard Olsen (Olsen arrived at 6:15 p.m.)

Members Absent: Arlene Bonacci

Others Present: John Schunke, Kim Bissonette, Robin Stowe, Pat Girtz, Dick Guenther, John Elliott Jr., Steve Wilcenski, Norm Cejka, Beth Castaldi, Ken Castaldi, Ron Barger, Leroy Schoenrock, Chris Pavek, Rick Thiel, Todd Pavek, David Solin, Michael Savagian, Lawrence Stegall, Torri Stegall, Rusty Mehlberg, Jon Petroskey

Call meeting to order/Pledge of Allegiance

Chairman Cahak called a meeting of the Lantana County Public Safety Committee to order on the above date at 6:00 p.m., the Pledge of Allegiance immediately followed.

Public Hearing to consider rescinding or revising the scope of Ordinance 9.07 entitled "Restrictions on Keeping of Dogs; Impoundment of Dogs".

Robin Stowe, Corporation Counsel, informed the public that anytime a municipality enacts a local ordinance the procedure calls for a public hearing that gives all concerned citizens the opportunity to voice their concerns on a potential local law, the revision of a local law, or the abolishment of a local law. What's being proposed at this time is to rescind the dog ordinance in its entirety, so there will be no county ordinance for these regulations. The other option that's being considered is to eliminate the dogs running at large and the unlicensed dogs regulation, but keep those regulations that deal with vicious dogs. Robin Stowe gave some background on the county's dog ordinance and also regulations on dogs in general. A copy of the proposed ordinance with revisions was provided to all attendees and placed on file with the minutes. Robin mentioned that what a municipality can do is much more comprehensive than what the county has done. If the county rescinds the ordinance in its entirety, the state statute still exists. There is a host of individuals that can enforce the state statute; law enforcement can still do it, an animal control officer or humane officer, or anyone who is designated by a municipality for those purposes. If you're dealing just with the state statute you have a problem with how you enforce that state statute. The reason why the county has an ordinance is because it's an easy and simple process for law enforcement, you write a citation to that person. If all you have is the state statute, and this is why a lot of municipalities adopt statutes in the form of an ordinance, is law enforcement has to do a long form complaint process, a summons and complaint, and it's a long drawn out process. Something like this in the pecking order of law enforcement or the district attorney is way down on the totem pole. It's a much more time intensive, costly, cumbersome process just to use the state statute. Stowe encouraged attendees to research the Wisconsin Towns Association Website and

discuss any issues about ordinances or regulations with an attorney from the Wisconsin Towns Association. One possible deterrent that a town could possibly consider is to issue a special charge, rather than a citation, to dog owners for any costs that are incurred by the town for a dog problem; someone to collect that dog, keep the dog, restrain the dog etc... This could be done by issuing those costs as a special charge against the property which is collected through the property tax collections method.

Chief Deputy John Schunke, Langlade County Sheriff's Office informed attendees that with budget restraints the way they are, and with a limited amount of resources, that these resources are put out to the community on a priority system. There are other criminal activities and duties that the Sheriff's Office is obligated to do by statute that takes up a lot of deputy time. This ordinance has been a burden to law enforcement. For example, a deputy or sometimes two deputies, depending on the situation, go to some of these complaints half a dozen times and try to rectify a problem that quite honestly, you write a citation, they pay it, and you start all over again. Schunke stated that from a law enforcement standpoint we really believe that if we're paying a deputy \$23 an hour to be on the road patrolling for the safety of our citizens, then this particular ordinance isn't the best way to spend that officer's time. It's difficult to be all things to all people when resources are limited.

Robin Stowe, Corporation Counsel wanted to make the attendees aware of another option. Stowe stated that the way the law is today in the State of Wisconsin is that dog owners, or keepers of dogs are essentially strictly liable for what their dog does, regardless of any government regulation. The private individual can maintain a private action if they're being disturbed by a dog.

Stowe informed attendees what the steps in this process will be after this public hearing. If the Public Safety Committee would like to rescind the ordinance in its entirety, then it would have to go to County Board to be voted on, then it would be published in the paper before it would become effective.

Public Comments/Questions/Responses:

Ken Castaldi : "How many incidences have you responded to in the last year and are there any hot spots?" Chief Deputy John Schunke stated that he does not know the specifics on how many exactly, but will compile the information on it tomorrow. Schunke stated the hot spots are the Town of Rolling and the Eastern part of the county in the Elton area.

Norm Cejka, Town of Rolling Chairman stated that they do have a lot of problems. Cejka informed everyone that just recently they had a serious situation where two dogs ran across the road and attacked another neighbor's dog. The dog had to have 80 holes sewn up. The owner of the two dogs agreed to get rid of them, but still has them and they are still running loose. Cejka stated that barking dogs should be covered under "nuisance". The other thing Cejka stated was that most of these people get hostile when someone from the town goes there and they threaten you with trespassing. "It seems that when you have a uniform on it makes a little of difference." Dale Dahms, Committee Member, asked "why didn't the neighbor whose dog got ripped to shreds initiate a complaint against the person who's dog did this?" Dahms also stated that these dogs should have been destroyed. Cejka

stated that they worked out an agreement amongst themselves that these people pay the veterinarian bill and that's where it dropped. Schunke stated that so everyone is clear on this that the Sheriff's Office would have a much more strong stance on that had the victim that owned the dog would have pressed charges, but they refused to do so because they wanted to act in a neighborly fashion and handle it between themselves. This took the ability away from the Sheriff's Department to act further on the statute. Schunke also stated that he has been at that location personally in the last two weeks and the dogs were inside and if they are getting out the Sheriff's Office is not hearing about it.

Robin Stowe commented that technically the way the law works is if you are an owner or keeper of a dog, that when it's off your property/premises it has to always be under your control. That's like right next to you, under your control. Often times this does not happen out in a rural community. There is an exception for legal hunting activities in the ordinance (2)(c).

Dahms: "We're talking about all this contention here and what we have is a manpower problem." We don't have enough deputies in Langlade County to come out and take care of all this dog stuff, no matter what you say." "You want to see all the drugs off the street and all the drugs out of the schools, these guys don't have the time to take care of the dogs."

Norm Cjeka said that you need to look at a little priority here. Cjeka asked what would happen or what would you do if one of those dogs would have attacked your grandchild or something like that. Schunke stated that the Sheriff's Office is still going to respond to these types of calls, but when you're using this example of these two pit bulls that went across the road and attacked a Labrador, we don't have a victim. You can't take any action on any state statute without a victim. In this case if the owner of the dog does not want anything done we do not have a victim. After a lengthy conversation Chief Deputy Schunke made it clear that the Sheriff's Office does still respond to vicious dog complaints. Stowe also made it clear that even if we don't have this ordinance on vicious dogs, law enforcement still has other state statutes and other county ordinances that they can use and they are going to go out there and take care of that vicious dog.

Jon Petroskey, Town of Antigo stated that they can't issue citations. If they end up with a dog that is unlicensed and they take it to the pound, even if it's three times in a row there's still no enforcement that they can do on that. Petroskey asked if the Town of Antigo is able to contact the Sheriff's Office with documentation through the Humane Society that they've taken the dog there, say three to four times within the past six months, could they do a citation then at that point? Schunke stated sure, if the ordinance clearly states that. Stowe stated that the town could adopt the same ordinance, a citation ordinance, have a Town Constable or Animal Control Officer. Robin stated that you would probably need a prosecutor or an attorney in case someone challenges the citation. The other thing is you would need to have a municipal court or have to join with other towns. Stowe again advised everyone that he is not an expert in town law and to consult with their town attorney or the Wisconsin Towns Association.

Leroy Schoenrock: "From a law enforcement standpoint what would be a vicious dog, what's the definition of vicious?" Chief Deputy Schunke answered with

“anything that attacks another animal or a person”. Schoenrock stated “attacks an animal” would be another question. Schoenrock stated he’s seen a dog take out a mouse, that’s another animal. Schunke stated no, we use common sense in that area. It would be domestic livestock, private property of an owner, someone who owns that animal, that’s something that would have to be established, a wild animal – no. Schoenrock then asked: “What constitutes an attack?” “Would there have to be an injury to the other animal?” Schunke stated that if the dog came out of the driveway, for example; while someone is walking their dog or riding their bike, leaves their property and comes after that person or animal and it gets to the point where they have to take some evasive active either to create a barrier or pull their dog up. Even though it would be an attempted attack, the Sheriff’s Office would take some type of enforcement action.

Steve Wilcenski : “Would more of the answer be that each township would have to police it’s own in this way?” “If you had a town meeting and you could find somebody that would take over that role, that would have a little teeth to issue citations, or if need be if they thought it needed, to then use one of your officers to help them in that situation?” Wilcenski stated that there is a cost factor obviously because no one is going to do this for free. Wilcenski also went on to say “this is what we learned today; .50 cents of all of our licenses that we pay goes toward the township, the rest of it goes toward the county and if they have extra at the end it would go to the Humane Society.” “There is a fund that is used, in the townships that have numerous dogs those townships obviously have a lot more coming in and they probably have a few more issues to deal with because they have more dogs.” “From a funding standpoint if they could use the license money instead of giving so much of it away, utilize it to pay for your individual townships person to deal with your situation, then that would free up your people, unless it was something that that person needed.” “The townships that don’t have problems, they’re not utilizing the counties resources, but in those townships that have problems then they can deal with it on their own and there’s funding available.” Robin Stowe informed the attendees about the dog license fees that are turned over to the county. Those that are not passed through to the Humane Society, that portion of the county’s retaining, is for dog damage claims. If there’s a claim out there where a dog has injured someone, property, livestock etc., you can file a claim if you’re familiar with that process. Robin stated that again the problem with our townships is that if you’re going to go the route of a citation, there’s so much with the town that you have to invest in that infrastructure, that it wouldn’t make it worth while. Wilcenski stated it would save money for the infrastructure that you’re using now for your deputies. Robin Stowe stated, again you have to adopt the ordinance and also a citation ordinance. The towns have materials on how you go about adopting this type of ordinance with a citation ordinance that’s attached to it, you’d have to designate a Town Constable or someone who has the authority to issue citations. You’d have to have a local attorney to prosecute those and then you’d also need a municipal court. Municipal courts can be money makers. The benefit there, verses a circuit court, is that the municipal court gets to keep all that, they don’t have to pass it through to the state. But again you have to pay for your municipal court judge, your prosecutor and enforcement mechanism, but anything over and above that you’re keeping those citation fees, but you need so much volume in order to make this work. If you partner together with other municipalities, then it becomes a revenue producer. It would be a pretty sizeable investment for the town to try to do this. You could also have a number of towns partner together to contract with a

trained Humane Officer. Stowe stated that the county could modify this ordinance and leave the option open for law enforcement, just so the public knows that that's not the primary contact, but it's the Humane Officer that's doing all this leg work and can write the citation, so that takes it off the back of law enforcement. Dale Dahms stated he didn't think you'd have to have a full time judge in your township if you have a town attorney. The attorney can act as a judge if it's designated by the town.

Beth Castaldi: "Out of the calls that you receive regarding dogs, how many of them do you actually have to issue citations, or is it mostly a case where you have to go and communicate and explain to people what they already know that their dog is not suppose to be running loose?" "How many are not solvable without getting into citations and courts and all that?" John Schunke answered approximately 20% are citations and 80% are visits from the Sheriff's Office. The first step is always a warning. They try to rectify it peacefully.

Beth Castaldi: "If this ordinance is rescinded, and there is a complaint in an individual township, it goes where?" Robin Stowe stated that you can still contact law enforcement, but again since the county does not have the specific ordinance he doesn't know how the response would be to running at large or unlicensed dogs. Schunke responded that they would be referred back to the townships. Stowe stated that a designated official from the town can take care of it, a Humane Officer whose designated, or law enforcement.

Jon Petroskey: The Town of Antigo has a Town Constable and gets \$35 per complaint for dogs and cats and stated that there are at least four complaints a month. Petroskey is not sure if the Town Constable actually has the Humane Officer training and is not aware of any reimbursements that they get from the dog license and stated he likes that idea to help with costs. Stowe stated an option would be to possibly put the fees as a special charge when the owner doesn't pay the impound fees.

Robin Stowe stated that one of the options is, if we don't change anything, we could change the fact that this isn't enforced by law enforcement. It's only enforced by whoever is the designated Humane Officer from that town. So again it puts that burden back on that town and they can act under this ordinance, but it's going to be that person that you're designating. So when those calls come into law enforcement, they are just going to route it back to that town or that designated person.

Mike Savagian stated that he was a victim of a dog bite this summer. He was out on the road and a dog ran out and bit him. Whatever the changes are here Savagian thinks most people should try to resolve these problems as neighbors and not have to have law enforcement or anyone else involved. His concern is that now that you're bit you have a problem because you don't know if this dog is vaccinated. Does it have rabies? Is there still going to be that mechanism? He stated that he was at least fortunate enough at the time that between the Sheriff and the Health Department they were able to track it down and at least tell him that the dogs okay and didn't need to go through the rabies series. Savagian asked: "If any of this is rescinded in whole or in part is that still going to take place?" Robin Stowe stated that if you report a dog bite it's going to trigger the health department and law

enforcement response, regardless of the ordinance because there's that rabies concern. Ron Barger, Langlade County Health Department, stated the process is if the health department gets a dog bite incident it's initiated by law enforcement. They usually go to the hospital, fill out the paperwork and call him. Barger gives them advice based on a case by case basis. If it's a horrendous bite, Barger, as Health Officer, has the authority to order the dog to be confiscated, put in isolation or quarantined either at the humane society or the vet. Barger can also order that the dog be put down and tested for rabies if the vet says this dog is acting strange. So yes, there is still a process in place. Barger stated that he doesn't recommend doing away with the ordinance in its entirety and thinks that we'd be undoing a lot of what we've done over the years. Barger also stated that there would be problems with each township coming up with their own plan. Barger was concerned about answering a complaint in one township, then walk 10 feet over to the other township line and then it's a completely different ballgame. Barger likes the idea of revisiting the issue of a Humane Officer that, in theory, can be employed by the county, not with benefits but on a per diem basis. Barger stated then you would have one that's trained and can enforce equally throughout the county.

Robin Stowe: Going back to earlier questions and comments. If you don't have an ordinance then who else can enforce that state statute? Stowe stated that Local Health Officers can as well, they are listed as an Officer under Chapter 174. Stowe reiterated that with towns you have to be careful. If you do go that route and have a dog regulation ordinance, then there's nothing the county can do, you've preempted the situation. As Humane Officer that's something different, but if you actually adopt a dog control ordinance then the county cannot act because that's where that primary authority is.

Steve Wilcenski stated that one of his concerns is that if you do not deal with it, you turn it over to townships, the townships are frustrated, they don't deal with it, you let neighbors deal with it, now you've got an escalated problem. If you shoot another man's dog and some man may think that's like part of his family, now you've got a big escalated problem and it all stemmed from there was no relief valve. The dog that bit Mike is a neighbor dog and he's called the police twice on that dog because after he bit Mike he was loose twice. It was a big concern of the neighborhood because he was a pit bull and there are a lot of kids that walk down that road. Wilcenski stated that "obviously our problem is, okay Mike lived, if someone gets killed that's on me, I did the best I could." "There's got to be a somebody." Wilcenski went on to state that even if part of that funding came from not sending two officers out to every situation, the amount of money that is saved is tremendous. A little bit of that could go towards this person even if he does three to four counties and he could work with somebody, at least there's a way out for that Town Chairman to do something other than be frustrated.

Dale Dahms: "Even if we dump that ordinance that vicious dogs part of it would still be investigated right?" "I mean if a dog bites somebody you still go out for that."

John Schunke stated that one thing that he wanted to make clear once again is the Sheriff's Office is still going to investigate vicious dog complaints even if it is decided to rescind this ordinance. The vicious dog issue is something that would still be looked into by state statute and it's a general public health safety issue.

Jon Petroskey: "Do you know which ones are not covered by statute?" Robin Stowe stated that vicious dogs are not specifically, there's not a statute on that, but it's declared a public nuisance. Jon Petroskey: "What about dogs running at large?" Robin Stowe stated that yes that's a state statute, 174.042, everything in the ordinance except for the vicious dogs are not covered by state statute.

Dick Guenther stated that they don't have a big dog problem in their town but do get phone calls occasionally from dispatch to ask if he would go out and talk to the people that have the dog. Guenther stated that he is usually able to straighten things out and get them taken care of. If he has to go back a second time he tells them that if he has to come back once more he will take the dog to the pound, if they want the dog back they will have to go and pay to get it back. Guenther stated that nine times out of ten you can mitigate these things by talking to some people. Guenther also stated that then again he has not had a vicious dog problem.

Norm Cejka stated he'd like to see the ordinance stay as is because all its doing is reinforcing the state statute.

Robin Stowe informed the attendees that on November 6, 2012 the Public Safety Committee will reflect on all the comments here tonight. Stowe also stated that there's no requirement for the committee to have another public hearing, but the committee will discuss this at their next meeting and whatever decision they make they would have to present that to the County Board. If they want to make any kind of revision whatsoever, even just adding the Humane Officer designation, it would have to be taken to County Board and published in the paper.

Pat Girtz wanted it on record that she is not in favor of rescinding the ordinance. Girtz stated that the Town of Ainsworth has not had a problem. Town of Ainsworth does not have a Constable, they had gotten rid of the Constable position many years ago because it was more trouble than what it was worth. There are a lot of things that the towns would have to take over if this ordinance is rescinded. Girtz stated that she understands the limit of officers, the high priority, and of course that's what she wants them to do because she realizes that dogs are not a high priority. Girtz went on to say that it has been repeated here all evening that the vicious dogs part of it is still going to be a law enforcement problem, so she thinks the towns need to be a little more diligent in taking care their own problems. Girtz stated that if you get a dog call, call us and we'll try to handle it instead of going through all the work of rescinding the ordinance and causing 17 townships to come into flux and have to figure out what do we do now.

Norm Cjeka stated that the town of Rolling gets a lot of calls from people that have stray dogs in their yard that won't go away. Cjeka stated that the town does not call the Sheriff's Department to come and get that dog. There are peopled that will call the Sheriff's Department and say they have a stray dog in their yard and then the Sheriff's Department calls him and then someone from the township will go out and get that dog if they can. Cjeka stated that he doesn't expect the Sheriff's Department to run every time someone barks about a dog, it's just these vicious problems, so to speak, that they have that are hard to deal with.

Larry Poltrock asked for a show of hands of who is in favor of rescinding the ordinance. No hands were raised. Dale Dahms: "Now that nobody raised their hand, now you can ask the same question Larry"; "How are we going to pay for or how are we going to take care of it?" "That's why we're here tonight." "We don't want to hurt anybody, we can't afford to go out and take care of those dogs, other than the vicious or biting dogs." "Now what do you want to do?" "Raise the town's taxes to get another deputy?" "That's what you have to think about, not just because we have some dog owners here that don't want you to rescind that ordinance." "The vicious dogs are still going to be taken care of no matter what." :The other calls should go to the town somehow." Cjeka: "It does." Dale Dahms: "Well, that's what we're saying, we want to rescind the ordinance, but not the vicious dogs ordinance." Cjeka: "It doesn't affect this at all, all it does is reinforce the state statute." "This isn't costing the county anything." "We get our calls from the Sheriff's Department or the public and the only time we call on them for help is for the situation like we've had this summer." John Schunke: "I think if you don't rescind it, if you decide not to rescind it, my suggestion would be to clarify who's going to enforce it and if that's the case then our position as a Sheriff's Office would be to put the burden back on the townships." Norm: "We can't to a degree, most of these kind of people don't want you on their property." Schunke: "Now you've created a different situation Norm, and obviously we would assist the township in those positions where if you run into a hostile situation we're not going to let you stand there alone." Norm: "Well that's what she said then you're better off then to take law enforcement with you." "But if you just go there to talk to them and they start getting sassy or whatever and tell you to leave, you better leave because then you'll be creating a trespass situation if you don't." Schunke: "If you run into those situations, our stance, I'm sure, we would be there in those circumstances." "I think we're kind of creating a bigger situation than what we're actually trying to do here." "I don't want to deal with hypothetical's all night, I can only tell you what our issues are on behalf of the Sheriff's Department ."

Ron Barger: Asked for a show of hands of those that support the county revisiting the issue in establishing a Humane Officer in some form or fashion, either through individual townships or through countywide and then work out the process after the fact, just to get the idea of how we all feel about that idea.

Pat Girtz: "I in no way want to be critical of Chief Deputy Schunke, but I think we do need the information as to how many calls there are out there and how many of them are nuisance calls verses vicious dogs." "I think that that information would be very valuable here for us tonight." "We wouldn't have had quite so many questions if we'd had that information."

Chairman Cahak: "Well, even if this ordinance is not rescinded, we still have the other options that were presented out here tonight to hire a Humane Officer or a consortium that could still be worked out even with the ordinance."

Beth Castaldi: "I don't want anyone in here tonight to misunderstand where those of us are coming from, from the dog sled community." "We are certainly sensitive to your problem, but I just don't think we'd really be comfortable rescinding these because then it's like okay now what?" "Who does what, where, when, how?" "It may just be a matter of clarification of where people need to go when they do have

situations with stray dogs or unlicensed dogs or whatever and to take the burden away from our law enforcement people that need to do other things.”

Larry Poltrock: “When the town chairman has to go out to these calls could they be authorized to issue written warnings?” “Then that could be recorded so if you get the same call from the same people time after time after time you’ve got a couple written warnings.” “If the town chairman spoke to them multiple times on multiple occasions and has documentation of it, being as how they are an official of their town, can they provide the Sheriff’s Department with the information on the specific dates, you can mail a ticket based on their representation, correct?”

Schunke: “Yes.” Larry Poltrock: “So it doesn’t even require necessarily a visit as long as the town chairs have their documentation of a nuisance, they provide the Sheriff’s Department with that and they can send the ticket right from the Sheriff’s Department without even paying a visit based on the town chairman’s documentation.” Schunke: “Yes, we call that based on information and belief, as long as the town official is willing to testify if that issue gets challenged and goes to court.”

Moved by Dahms, second by Olsen to close the public hearing at 7:17 p.m. and this committee will take under consideration your comments.

Dahms: “Do the Town Chairman want something if we talk about this at our next meeting?” “Do the Town Chairman want to hear what happened at that meeting?” “Do you want something mailed to you so you know what’s going on?” All said yes, that would be fine. Dahms: “We can do that.”

Adjournment

A motion was made by Dahms, second by Poltrock to adjourn the meeting at 7:17 p.m. All ayes. **Motion Carried.**

Respectfully submitted

Kim Bissonette, Public Safety Committee Recording Secretary

OPTION 1: TO RESCIND ORDINANCE 9.7 IN ITS ENTIRETY.

OPTION 2: TO LIMIT THE SCOPE OF THE ORDINANCE TO REGULATING VICIOUS DOGS ONLY, BY RESCINDING THE FOLLOWING SECTIONS OF THE ORDINANCE:

**9.7(1)(b) - (3); (5)
REVISE 9.7(2) as noted**

9.7(1) RESTRICTIONS ON KEEPING OF DOGS.

(1) DEFINITIONS.

(a) "Dog". An animal that is a member of the canine family.

(b) "Running at large". A dog is considered running at large if it is off the premises of its owner and not under the control of the owner or some other person.

(2) DOGS RUNNING AT LARGE.

(a) No person having in his/her possession or ownership any dog shall allow the same to run at large within the County. The owner of any dog, whether licensed or unlicensed, shall keep his/her dog so as not to allow the dog to interfere with the passing public or neighbors. Any dog running at large unlicensed and required by state law or County Ordinance to be licensed shall be seized and impounded by a law enforcement officer or animal warden.

(b) No person shall tie, stake or fasten any dog within any street, road, highway or other public place within the County or in such a manner that the dog has access to any portion of a street, road, highway or other public place. A dog shall not be considered to be running at large if it is on a leash and/or otherwise under control of a person physically able to control it when the dog is off of the owner's premises.

(c) Exception for legal hunting activities. A dog is not considered to be running at large if the dog is monitored or supervised by a person and the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog.

(3) UNLICENSED AND UNTAGGED DOGS.

(a) The owner of any dog shall acquire and attach to the dog any licenses required by state law, administrative rule or local ordinance.

(b) The owner of a dog shall attach a valid license tag and rabies vaccination tag to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.

(4) **VICIOUS DOGS DECLARED PUBLIC NUISANCES.**

(a) Dogs that attack or otherwise injure humans or domestic animals are declared public nuisances. A dog is vicious if it bites or inflicts injury to any person in unprovoked circumstances off the owner's premises.

(b) No person having charge of or occupying any building or premises shall keep a vicious dog.

(5) **EXCEPTIONS.**

(a) This Ordinance does not apply to dogs for the blind, deaf and mobility-impaired and dogs kept for scientific, educational or law enforcement purposes (pursuant to Wisconsin Statutes).

(6) **ENFORCEMENT.**

(a) When behavior that constitutes a violation of this Section is observed by a law enforcement officer, or is reliably reported to a law enforcement officer, a warning or citation may be issued to the owner of a dog for violation of this Ordinance.

(b) Forfeitures for violations of this Ordinance are set forth in the penalty provisions contained in Section 25.04, Langlade County Code of Ordinances.

(c) This Ordinance shall not apply to any municipality within Langlade County which has adopted similar animal control ordinances.

9.7(2) IMPOUNDMENT OF DOGS.

(1) **IMPOUNDING OF DOGS.**

(a) In addition to any forfeiture penalty hereinafter provided for a violation of this Section, a law enforcement or animal control officer may impound any dog: ~~that habitually pursues any vehicle upon any street, road or highway; assaults or attacks any person; is at large within the County; is unlicensed;~~ kills, wounds or worries any domestic animal; or is infected with rabies.

(2) **CLAIMING DOGS; DISPOSAL OF UNCLAIMED DOGS.**

(a) Seizure. A law enforcement officer or any animal control officer appointed by the County may attempt to capture and restrain dogs ~~running at large or in violation of any other provision~~ of this Ordinance, and shall confine and capture or restrain dogs in a suitable enclosure. After seizure of dogs under this Section by a law enforcement or animal control officer, the dog shall be impounded.

(b) Retention and Disposition of Unclaimed Animals. All dogs apprehended shall be kept for no more than three (3) days in a suitable enclosure and

if such dog is not claimed by the rightful owner, representative or keeper within such time, said dog shall be transmitted to the Humane Society to be handled in accordance with Wisconsin Statutes and the policies of that facility.

(c) Responsibility for the Costs of Impoundment. The owner or keeper of the dog shall be responsible for any and all costs incurred while the dog is impounded. If the owner of the dog cannot be determined or if the owner of the dog fails to claim the dog within 10 days of impoundment, then the municipality from which the dog was seized by law enforcement shall be responsible for the costs of impoundment.

SIGN IN SHEET - PLEASE PRINT CLEARLY

Public Hearing - Dog Ordinance - October 18, 2012

NAME

Pat Girtz

Dick Guenther

John Elhiatt, JR

Steve Wilcenski

Noam Cejha

Beth Castaldi

KEN CASTALDI

Ron Barger

LeRoy Schoenrock

Chris Pavek

Rich Thiel

Judd Parrella

David Loli

Michael Savasian

Lawrence Stegall

Tornie Stegall

Rusty Mehlberg

Jon Petroskey